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By: **Delegates Hecht, Franchot, Billings, Carlson, Goldwater, Heller,  
Hixson, Kagan, Kopp, La Vay, Mandel, Petzold, and Snodgrass**

Introduced and read first time: February 9, 2001  
Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **High Occupancy Vehicle (HOV) Lanes - Use by Inherently Low Emission**  
3 **Vehicles**

4 FOR the purpose of requiring the State Highway Administration, when designating a  
5 portion of a highway as a restricted-use, high occupancy vehicle (HOV) lane to  
6 place traffic control devices indicating that the HOV lane may be used by certain  
7 inherently low emission vehicles; requiring the Motor Vehicle Administration,  
8 the State Highway Administration, and the Department of State Police to  
9 consult to design a certain decal, label, or identifier; authorizing the Motor  
10 Vehicle Administration to charge a certain fee for issuing a certain decal, label,  
11 or identifier; requiring the Motor Vehicle Administration to make a certain  
12 report to the General Assembly on or before a certain date each year beginning  
13 in 2002; defining certain terms; and generally relating to the designation of  
14 HOV lanes by the State Highway Administration and the use of HOV lanes by  
15 inherently low emission vehicles.

16 BY repealing and reenacting, without amendments,  
17 Article - Transportation  
18 Section 11-167 and 21-201(a)(1)  
19 Annotated Code of Maryland  
20 (1999 Replacement Volume and 2000 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article - Transportation  
23 Section 25-105  
24 Annotated Code of Maryland  
25 (1999 Replacement Volume and 2000 Supplement)

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
27 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Transportation**

2 11-167.

3 "Traffic control device" means any sign, signal, marking, or device that:

4 (1) Is not inconsistent with the Maryland Vehicle Law; and

5 (2) Is placed by authority of an authorized public body or official to  
6 regulate, warn, or guide traffic.

7 21-201.

8 (a) (1) Subject to the exceptions granted in this title to the driver of an  
9 emergency vehicle, the driver of any vehicle, unless otherwise directed by a police  
10 officer, shall obey the instructions of any traffic control device applicable to the  
11 vehicle and placed in accordance with the Maryland Vehicle Law.

12 25-105.

13 (a) On every highway under its jurisdiction, the State Highway  
14 Administration shall place and maintain those traffic control devices that it considers  
15 necessary to carry out the provisions of the Maryland Vehicle Law or to regulate,  
16 warn, or guide traffic. Each of these traffic control devices shall conform to the  
17 manual and specifications of the State Highway Administration.18 (b) A local authority may place or maintain a traffic control device on a  
19 highway under the jurisdiction of the State Highway Administration only with the  
20 permission and under the direction of the State Highway Administration.21 (C) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE  
22 MEANINGS INDICATED.23 (II) "HOV LANE" MEANS A HIGH OCCUPANCY VEHICLE LANE, THE  
24 USE OF WHICH IS RESTRICTED BY A TRAFFIC CONTROL DEVICE DURING SPECIFIED  
25 TIMES TO VEHICLES CARRYING A SPECIFIED NUMBER OF OCCUPANTS.26 (III) "ILEV VEHICLE" MEANS AN INHERENTLY LOW EMISSION  
27 VEHICLE AS DEFINED IN, AND CONFORMING TO THE CERTIFICATION AND LABELING  
28 REQUIREMENTS OF, FEDERAL REGULATIONS UNDER 40 C.F.R. PART 88.29 (2) WHENEVER THE STATE HIGHWAY ADMINISTRATION PLACES A  
30 TRAFFIC CONTROL DEVICE ON A HIGHWAY DESIGNATING A PORTION OF THE  
31 HIGHWAY AS AN HOV LANE, THE TRAFFIC CONTROL DEVICE SHALL ALSO INDICATE  
32 THAT THE HOV LANE MAY BE USED AT ALL TIMES BY ILEV VEHICLES.33 (3) (I) THE ADMINISTRATION, THE STATE HIGHWAY  
34 ADMINISTRATION, AND THE DEPARTMENT OF STATE POLICE SHALL CONSULT TO  
35 DESIGN A DECAL, LABEL, OR OTHER IDENTIFIER TO DESIGNATE A VEHICLE AS AN  
36 ILEV VEHICLE.

1 (II) THE ADMINISTRATION MAY CHARGE A FEE, NOT TO EXCEED ITS  
2 COSTS, FOR ISSUING A DECAL, LABEL, OR IDENTIFIER UNDER THIS PARAGRAPH.

3 (III) BEGINNING IN 2002, THE ADMINISTRATION SHALL REPORT TO  
4 THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31 OF EACH YEAR, IN  
5 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE NUMBER  
6 OF DECALS, LABELS, OR OTHER IDENTIFIERS ISSUED UNDER THIS PARAGRAPH  
7 DURING THE YEAR.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2001.